Supreme Court, U.S.
FILED
APR 5 1985
ALEXANDER L. STEVAS
CLERK

No. 84-1902

IN THE

SUPREME COURT OF THE UNITED STATES

October Term, 1984

Jane Strode Petitioner & Appellant vs Lorene D. Gregory William P. Gregory James Edward Gregory Respondents & Appellees	Appellate Court 3rd District Sacramento, Ca. 3 Civil 24045

ON A WRIT OF CERTIORARI TO THE

SUPREME COURT OF CALIFORNIA

JURISDICTIONAL STATEMENT

Jane Strode
P.O.Box 667
Summit City, Ca. 96089
Appellant in Pro Per
916-275-8115

April 22, 1985

QUESTIONS PRESENTED

1.Can a state deprive a person of property without notifying that person of the scheduled hearing date?

a)If the proper parties (heir at law in a probate hearing) are precluded from attending a hearing, is this a violation of due process according to Admendment V and Admendment XIV of the UNITED STATES CONSTITUTION?

b)Did the probate court lose jurisdiction when the proper party was not present or notified?

2.May the respondents & their lawyers knowingly probate a fraudulant contract (revoked will) since Art.1 Sec.10 Clause 1 of the UNITED STATES CONSTUTION says "no state shall pass any law impairing the obligations of contracts"? Court decisions in this case do impair a valid contract.

The question of a fraudulant contract (revoked will) was brought up in the Superior Court. Jurisdiction & due process were specifically added in the Appeals and California Supreme Court.

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No._____

in the
SUPREME COURT OF THE UNITED STATES
October Term, 1984

Jane Strode Appellant
vs
Lorene D. Gregory, William P. Gregory
James Edward Gregory Appellees

JURISDICTIONAL STATEMENT

Jane Strode, the appellant appeals from the final judgement of the Supreme Court of California entered on Jan. 2,1985 & denied on Jan.23,1985 (pg.6). A notice of appeal was duly filed in the Court of Appeals & California Supreme Court on April 19,1985. This appeal is being sent within the 90 days from the denial of hearing below.

Jurisdiction is invoked under;
1.United States Constitution Art.3 Sec.2 in which "the Supreme Court Shall have appellate jurisdiction".
2.Pursuant to Title 28 of the United States Code 1257 (3) as a "right --- claimed under the Constitution".

STATEMENT OF THE CASE

In probating the estate of Jessie Thomas Gregory (petitioner's father) attornies Presleigh & Arel (acting for brothers Bill & Jim Gregory) agreed to grant Lorene D. Gregory (putative wife of deceased) a settlement out of her portion (pg. 85 Clerk's Transcript) of the 1977 will (original was lost) and on pg. 70 C.T. a notice of deposition was taken from Joan M Earle & Sharon J. Peterson the two witnesses to the signing of the 1977 will. This 1977 will is valid according to the Calif. Probate Code Art.3 Sec.350 which requires a copy & witnesses to the signing of the will. After all of this attornies & brothers probated a 1966 will (petitioner is not in it) without notifying petitioner. So they knowingly & with evil intent probated a revoked 1966 will.

During the probate proceedings petitioner was notified of a cancelled meeting that petitioner went to although she had just had major surjury. Petitioner did not receive any notice of the July 3,1982 hearing when the 1966 will was probated. This fraud was discovered before it was to close escrow & petitioner hired ineffective bar counsel who filed a motion to Vacate the Void Probate. The appeals court denied this as being a non-appealable order. Petitioner's counsel (lawyer) wanted to vacate the probate altogether & forget about the valid 1977 will. This procedure is not covered in the Probate Code Sec. 1240.

On April 16,1984 petitioner acting as a pro per filed a Motion in Arrest of Probate Judgement of Decree because the 1977 Will is now Proved Valid. A copy of the will & affidavit of witnesses were presented.

This was dismissed in Shasta Co. Superior Court by Judge Joseph Redmon. The 3rd District Appeala Court dismissed it "as being taken from a non appealable order. (see Probate Code Sec.1240)#.-" admitting a will to probate or revoking the probate therof". The California Supreme Court denied a Petition for Hearing (see notice of appeal pg.6) without any reason.

REASONS FOR ALLOWANCE OF WRIT

1.Petitioner was deprived of her inheritance when respondents did not notify her & probated a revoked will.

2.Stealing -done at pencil point- with greedy intent -is not part of our CONSTITUTIONAL law.

CONCLUSION.

For the foregoing reasons it is respectfully submitted that this petition for a writ of certiorori should be granted.

Dated 22 day of April 1985.

Jane Strode

Jane Strode Pro Per Petitioner

NOTICE OF APPEAL TO THE

SUPREME COURT OF THE UNITED STATES

Notice is hereby given that Jane Strode, the appellant herein, appeals to the Supreme Court of the United States from the final judgement of the California Supreme Court (see pg.3) entered on Jan, 2,1985 and denied on Jan,23,1985.

SUPREME COURT JURISDICTION

1.United States Constitution Art.3 Sec.2 in which "the Supreme Court shall have appellate jurisdiction".

2.Pursuant to Title 28 of the United States Code 1257 (3) as a "right --- claimed under the Constitution".

JURAT

I, Jane Strode, after being sworn on oath say that "they ----like Balaam will do anything for money ---and will die under the curse" -- Jude 11, but "if we would judge ourselves, we would not be judged ---and punished". 1 Cor.11:31

--do declare Iam the appellant herein, and the foregoing is true and correct. Dated 19th day of April 1985.

Jane Strode

Jane Strode Plaintiff/Appellant

CLERK'S OFFICE, SUPREME COURT
4250 STATE BUILDING
SAN FRANCISCO, CALIFORNIA 94102

JAN 23 1985

I have this day filed Order _____

HEARING DENIED

In re: 3 Civ. *No.* 24045

JANE STRODE

vs.

LORENE D. GREGORY, et al.

(Estate of Gregory)

Respectfully,

Clerk

84 32982

Appx

(2)

Supreme Court, U.S.
FILED
APR 5 1985
ALEXANDER L. STEVAS
CLERK

84 No. 1902

IN THE

SUPREME COURT OF THE UNITED STATES

October Term, 1984

Jane Strode Petitioner & Appellant vs Lorene D. Gregory William P. Gregory James Edward Gregory Respondents & Appellees	Appellate Court 3rd District Sacramento, Ca. 3 Civil 24045

ON A WRIT OF CERTIORARI TO THE

SUPREME COURT OF CALIFORNIA

JURISDICTIONAL STATEMENT

Jane Strode
P.O.Box 667
Summit City, Ca. 96089
Appellant in Pro Per
916-275-8115

April 22, 1985

5 pp

APPENDIX

Opinions Below

Page 1. California Supreme Court

" 2. Third Appellate District Court

" 3. Superior Court of Shasta County

Order, Hearing Denied

CLERK"S OFFICE, SUPREME COURT

4250 STATE BUILDING

SAN FRANCISCO, CALIFORNIA 94102

JAN 23, 1985

Ihave this day filed order

HEARING DENIED In re: 3 Civ. No. 24045

JANE STRODE vs LORENE D. GREGORY, et al.

Estate of Gregory

Respectfully,

Clerk

Dismissal Granted in favor of Respondents and Appellees Lorene D. Gregory, William P. Gregory and James Edward Gregory, and against Appellant Jane Strode.

In the Court of Appeal of the State of California Third Appellant District.

Estate of Jessie Thomas Gregory, aka Jess Thomas Gregory, aka Jess T. Gregory, aka J.T.Gregory, Deceased.

3 Civil 24045 Shasta 14813

Filed Nov. 29, 1985 Court of Appeal

By the Court:

The motion of respondents to dismiss the appeal is granted. The appeal filed May 24,1984 is dismissed as being taken from a nonappealable order. (See Probate Code section 1240).

Dated: November 29,1984

PUGLIA, P.J.

Motion Denied in favor of Respondents and Appellees Lorene D. Gregory, William P. Gregory and James Edward Gregory, and against Appellant Jane Strode.

Superior Court of the State of California for the County of Shasta.
May 17,1984 Judge J.H. Redmon Dept. 1
#14813 Estate of Jessie Thomas Gregory, aka Jess Thomas Gregory, aka J.T. Gregory, Deceased.
Ruling re: Motion to Set Aside Judgement

The motion of JANE STRODE, filed on April 16,1984, being entitled by her as a "Motion In Arrest of Probate Judgement or Decree Because the 1977 Will is Now Proved to be Valid", is denied. The moving party again attempts to re-litigate issues in this case that are now res adjudicata.

Jane Strode